

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**BENNINGTON FOODS, LLC, d/b/a
BENNINGTON GROUP,**

Plaintiff,

2006-CV-0154

v.

**ST. CROIX RENAISSANCE GROUP, LLLP,
a U.S. Virgin Islands corporation,**

Defendant.

**TO: Lee J. Rohn, Esq.
Joel H. Holt, Esq.**

ORDER

THIS MATTER came before the Court for consideration upon Plaintiff Bennington Foods, L.L.C. d/b/a Bennington Group's Motion for Status Conference, Extension of Mediation Deadline and Setting Date For Trial (Docket No. 137) and Plaintiff Bennington Foods, L.L.C. d/b/a Bennington Group's Motion to Modify Pre-Trial Schedule For the Limited Purpose of Conducting Depositions and Requesting Certain Documents (Docket No. 138). Defendant filed responses to both motions, and Plaintiff filed replies thereto.

Having reviewed the submissions of the parties and upon due consideration thereof, the Court will grant the motion for status conference, extension of mediation deadline, and setting date for trial and enters the following scheduling order. The Court will deny the motion to modify pre-trial schedule for limited purpose of conducting depositions and requesting certain documents. The Court finds that Plaintiff has failed to demonstrate "good cause" for modifying the schedule as requested.

Bennington Foods, LLC. v. St. Croix Renaissance Group, LLLP and Montrose Global Assets, Inc.
2006-CV-0154
Order
Page 2

It is now hereby **ORDERED**:

1. Plaintiff Bennington Foods, L.L.C. d/b/a Bennington Group's Motion for Status Conference, Extension of Mediation Deadline and Setting Date For Trial (Docket No. 137) is **GRANTED**.
2. Plaintiff Bennington Foods, L.L.C. d/b/a Bennington Group's Motion to Modify Pre-Trial Schedule For the Limited Purpose of Conducting Depositions and Requesting Certain Documents (Docket No. 138) is **DENIED**.
3. Mediation shall be completed on or before **November 15, 2008**.
4. The status conference scheduled for **October 9, 2008, at 11:00 a.m.**, is continued to **November 18, 2008, at 11:00 a.m.**, in Magistrate's Chambers.
5. Counsel for Plaintiff shall serve its Rule 26(a)(2) expert reports upon counsel for Defendant on or before **December 23, 2008**.
6. Counsel for Defendant shall serve its Rule 26(a)(2) expert reports to counsel for Plaintiff on or before **January 31, 2009**.
7. Expert witness depositions shall be completed on or before **March 31, 2009**.
8. All dispositive motions, including *Daubert* motions, shall be filed with the Court on or before **May 28, 2009**.
9. All motions *in limine* shall be filed at least twenty-one (21) days before the Monday of jury selection week, with any responses due within five (5) days of service thereof and any reply within three (3) days of service of the response.

Bennington Foods, LLC. v. St. Croix Renaissance Group, LLLP and Montrose Global Assets, Inc.
2006-CV-0154
Order
Page 3

10. Plaintiff shall complete and deliver to counsel for Defendants its portion of the Joint Final Pretrial Statement in accordance with LRCi 16.1, App.1, on or before **June 11, 2009**.
11. Defendant shall complete its portion of the Joint Final Pretrial Statement on or before **June 22, 2009**.
12. The Joint Final Pretrial Statement shall be filed with a separate proposed Order on or before **June 25, 2009**. (The Court shall enforce LRCi 16.1(c)(1) regarding amendments to the final pretrial order.)
13. A final pretrial conference is scheduled for **June 30, 2009, at 2:00 p.m.**, in Magistrate's Chambers.
14. Trial shall be **August 3, 2009**, and shall take five (5) days. This date may be continued if there are pending dispositive motions or a criminal trial that will take precedence.
15. The exhibit list deadline is **June 25, 2009**.
16. The expert witness list deadline is **June 25, 2009**

ENTER:

DATED: September 19, 2008

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE